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| EXAMINER |
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| VO, TED T |

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

| | Application No. | Applicant(s) |
|---|---|---|
| | 10/802,422 | COLEY ET AL. |
| **Office Action Summary** | Examiner | Art Unit | |
| | TED T. VO | 2191 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1) ☒ Responsive to communication(s) filed on <u>08 February 2008</u>.

2a) ☒ This action is **FINAL.**     2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4) ☒ Claim(s) <u>1 and 3-25</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1 and 3-25</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All b) ☐ Some * c) ☐ None of:

        1. ☐ Certified copies of the priority documents have been received.

        2. ☐ Certified copies of the priority documents have been received in Application No. _____.

        3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

## DETAILED ACTION

1.      This action is in response to the amendment filed on 02/08/2008.

        Claims 1, 3-25 are pending in the application.


*Response to Arguments*


2.      This is in response to the arguments filed in Remarks on 02/08/2008.

        - Regarding the argument to the rejection of the claims under 101 where the claims 16-25
are rejected under 35 U.S.C 101 because the claims direct to non-statutory subject matters: The
arguments to the claimed amendment have been considered, but not persuasive.

        The amendment to Claims 16-20 with "A computer implemented system" does not make
the system looks like a computer since it comprises only a list per se of code, and the code does
not show any connection with a computer execution. Therefore, the system is mere software.
The term "computer implemented" appears as that the software is intended for a computer, and
thus it does not make the software be embedded and operated in a hardware computer for doing a
particular result.  For example, let system be "software", then the preamble is "A computer
implemented software".  This preamble does not make the system be a machine.

        The claims 21-25 define "a string resource tool". It comprises "a tool component". It is
further included with mere descriptive material such string information that enables a developer
to select.  The tool seen by the claim is not a **machine** as required by 101 statutory. It is software

per se because there is no connection to an operation of a machine. It should be noted that claiming merely software per se is not statutory under 35 USC 101.

    - Regarding the arguments to the rejection of Claims 1, 3-25 under 35 USC 102 as being anticipated by Utley:

    With regard to claims 1, 3-15: The claims are amended with "*by providing the developer with a collection of resource identifiers; and receiving said resource identifier input from the developer in the form of a selection from the collection of resource identifiers*".

    Applicants amended claim 1 with the inclusion of the limitation of Claim 2. Applicants' argument as provided within the Remarks, p. 12 fails under 1.111(b) and (c) requirement because the argument asserts that the verification taught in Utley occurs on the client side is distinguishable from the current application where verification occurs when the developer, not the client, inputs a resource identifier. Applicants' argument appears that their claim is patentable based on the types of people. This argument as mentioned cannot be persuasive and fails under 37 USC 1.111(b) and (c).

    Furthermore, the arguments to the claims 16-20, and 21-25 fail under 1.111(b) and (c) because they fail to discuss and to identify the patentability of the claims, but generic assertions.

### *Claim Rejections - 35 USC § 101*

3.      35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or
composition of matter, or any new and useful improvement thereof, may obtain a patent
therefor, subject to the conditions and requirements of this title.

4.      The claims 16-25 are rejected under 35 U.S.C 101 because the claimed invention is

directed to non-statutory subject matter.

Claims 16-20: The claims recite a computer implemented system for developing software

applications. The limitations to the system direct to or cover a sequence of code. There is nothing

as being executed or operated by a physical machine. Thus, the system appears software per se.

The term "computer implemented" appears the software, which is intended for a computer. It

cannot make the system, identified as software, be immediately operable by a hardware

computer. It is clearly that the limitations recite only a list of code per se.

Claims 21-25: The claims recite a string resource tool for reducing coding errors prior to

runtime in the context of a managed code execution environment. The tool in the claims has no

connection to a physical machine, but it appears cover software per se. It should be noted that

"tool" is also a computer program.

Thus, claims 16-25 fail to be statutory under 35 USC 101.

## *Claim Rejections - 35 USC § 102*

5.       The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign
> country or in public use or on sale in this country, more than one year prior to the date of
> application for patent in the United States.

6.       Claims 1, 3-25 are rejected under 35 U.S.C. 102(b) as being anticipated by Craig Utley,

"A Programmer's Introduction to Visual Basic .NET", SAMS Publishing, 2001 (hereinafter:

Utley).

   Given the broadest reasonable interpretation of followed claims in light of the specification.

As per Claim 1: Utley discloses,

*A computer-implemented method for reducing coding errors prior to runtime in the context of*

*a managed code execution environment, comprising:*

*providing a developer with access to a plurality of managed code resources* (e.g. Visual

STUDIO/Basic .NET [design] in pages 26, 32, 35, etc, having a text box that is accessible to

code resources); *and verifying that a resource identifier input by the developer corresponds to*

*one of the plurality of managed code resources* (Basis .NET is common language runtime, it

provides developers to correspond to managed code resources - see p. 8: 1-7, "The runtime can

check to make sure that resources on which you depend are available" - P. 121, Figure 6.15, it

has "index", where developers access database to verify the input of visual basic identifiers) *by*

*providing the developer with a collection of resource identifiers; and receiving said resource*

*identifier input from the developer in the form of a selection from the collection of resource*

*identifiers* (e.g., Figure 6.13, p. 116 and Figure 6.14, p.119, Figure 6.15, providing binding data,

string collections, also see section validation controls in p. 142 for verifying).

As per Claim 3: Utley discloses, *The method of claim 2, wherein providing a collection of*

*resource identifiers comprises providing a collection of resource identifiers that correspond to*

*a particular class selected by the developer* (See Figure 6.15, "index").

As per Claim 4: Utley discloses, *The method of claim 2, wherein providing a collection of*

*resource identifiers comprises providing a collection of resource identifiers in response to an*

*input by the developer of an activation key* (See Figures 6.13-15).

As per Claim 5: Utley discloses, *The method of claim 4, wherein providing in response to an*

*input of an activation key comprises providing in response to an input of an activation key that*

*follows input of a resource class* (Developers using combinations of Visual Studio/basic .Net,

e.g. using Class View).

As per Claim 6: Utley discloses, *The method of claim 2, wherein providing a collection of*

*resource identifiers comprises providing a collection of key names* (Developers using

combinations of Visual Studio/basic .Net, connecting the database, e.g. using "index").

As per Claim 7: Utley discloses, *The method of claim 6, further comprising providing the*

*developer with a resource value that corresponds to a selected one of the collection of resource*

*key names* (Developers using combinations of Visual Studio/basic .Net, connecting the database, e.g. using "index" and see Figures 6.13-15).

<u>As per Claim 8</u>: Utley discloses, ***The method of claim 2, further comprising providing the developer with a resource value that corresponds to a selected one of the collection of resource identifiers*** (Developers using combinations of Visual Studio/basic .Net, connecting the database, e.g. using "index" and see Figures 6.13-15).

<u>As per Claim 9</u>: Utley discloses, ***The method of claim 8, wherein providing a resource value comprises providing information within a pop-up box***
(Developers using combinations of Visual Studio/basic .Net, connecting the database, e.g. using "index" and see Figures 6.13-15).

<u>As per Claim 10</u>: Utley discloses, ***The method of claim 2, wherein providing the collection of resource identifiers comprises providing information within a drop-down menu*** (Developers using combinations of Visual Studio/basic .Net, connecting the database, e.g. using "index" and see Figures 6.13-15).

<u>As per Claim 11</u>: Utley discloses, ***The method of claim 1, wherein providing a developer with access to a plurality of managed code resources comprises providing a developer with access to a plurality of resources that are compliant with the Common Language Specification*** (The Visual Studio/Basic .NET provides the developer to access CLS (Basis .NET)).

<u>As per Claim 12</u>: Utley discloses, ***The method of claim 1, further comprising receiving from the developer an addition to the plurality of managed code resources*** (The Visual Studio/Basic .NET receives developer's application user-defined code).

As per Claim 13: Utley discloses, ***The method of claim 2, wherein providing a collection of resource identifiers comprises providing a collection of resource identifiers in response to an input by the developer that corresponds to a request for a display of resource information*** (The Visual Studio/Basic .NET provides collection of resource identifiers by allowing user to access the database and allows the developers' request).

As per Claim 14: Utley discloses, ***The method of claim 2, wherein providing a collection of resource identifiers in response to an input by the developer that corresponds to a request for a display of resource information comprises: providing a collection of resource identifiers in response to an input by the developer that is made when a cursor is positioned at a location associated with information availability*** (The Visual Studio/Basic .NET provides the developers to use the cursor and to position at any locations in which the information is available).

As per Claim 15: Utley discloses, ***The method of claim 2, wherein providing the developer with a collection of resource identifiers comprises providing the developer with a collection of resource identifiers that include at least two identifiers that each identify a different language version of what is essentially the same resource*** (Studio/Basic .NET provides selections for US and other languages for the resources used for application designing).

As per Claim 16: Utley discloses, ***A computer implemented system for developing software applications, comprising: a managed code infrastructure that provides a managed code execution environment;***

***a design program that provides a code generation environment that supports a developer in the generation of code that at least partially targets the managed code execution environment*** (Refer to Visual Studio/Basic .NET programming as shown in pages 26, 32, 35, etc, and Figure

6.13, p. 116 and Figure 6.14, p.119, Figure 6.15, having a text box that is accessible to code

resources);

*a string resource tool that supplements the design program and enables a developer to verify*

*that a resource identifier is correctly addressed to a string and key name so as to correspond to*

*a managed code resource that is supported by the managed code execution environment* (Refer

to frameworks as shown in pages 26, 32, 35, etc, and Figure 6.13, p. 116 and Figure 6.14, p.119,

Figure 6.15, having a text box that is accessible to code resources).

As per Claim 17: Utley discloses, *The system of claim 16, wherein the string resource tool is*

*further configured to enable a developer to verify that a resource identifier is correctly*

*addressed so as to correspond to a resource that is compliant with the Common Language*

*Specification.*

(The frameworks as shown in pages 26, 32, 35, etc, and Figure 6.13, p. 116 and Figure 6.14,

p.119, Figure 6.15, having a text box are compliant with CLS).

As per Claim 18: Utley discloses, *The system of claim 17, wherein the string resource tool is*

*configured to enable the developer to verify that a resource identifier is correctly addressed by:*

*providing a collection of resource identifiers through an interface to the design program; and*

*receiving a resource identifier input from the developer in the form of a selection from the*

*collection of resource identifiers* (Figure 6.13, p. 116 and Figure 6.14, p.119, Figure 6.15)

As per Claim 19: Utley discloses, *The system of claim 18, wherein the string resource tool is*

*further configured to provide resource key name information through the design program*

*interface* (Developers using combinations of Visual Studio/basic .Net, connecting the database,

e.g. using "index" and see Figures 6.13-15).

As per Claim 20: Utley discloses, *The system of claim 18, wherein the string resource tool is*

*further configured to provide value information through the design program interface*

(Developers using combinations of Visual Studio/basic .Net, connecting the database, e.g. using

"index" and see Figures 6.13-15).

As per Claim 21: Utley discloses, *A string resource tool for reducing coding errors prior to*

*runtime in the context of a managed code execution environment, comprising: a tool*

*component that provides string information through a design program interface, wherein the*

*string information enables a developer to select from a closed set of alternatives a particular*

*identifier that represents a particular string.*

(Refer to frameworks as shown in pages 26, 32, 35, etc, and Figure 6.13, p. 116 and Figure 6.14,

p.119, Figure 6.15, having a text box that is accessible to code resources).

As per Claim 22: Utley discloses, *The string resource tool of claim 21, wherein the string*

*information enables a developer to select from a closed set of alternatives a particular*

*identifier that represents a particular string that is compliant with the Common Language*

*Specification* (The frameworks as shown in pages 26, 32, 35, etc, and Figure 6.13, p. 116 and

Figure 6.14, p.119, Figure 6.15, having a text box are compliant with CLS)

As per Claim 23: Utley discloses, *The string resource tool of claim 21, wherein the closed set*

*of alternatives corresponds to a particular class selected by the developer* (See all the

frameworks with class viewer).

As per Claim 24: Utley discloses, *The string resource tool of claim 21, wherein the tool*

*component is configured to provide the string information in response to an input of an*

*activation key by the developer into the design program interface* (Developers using

combinations of Visual Studio/basic .Net, e.g. using Class View).

<u>As per Claim 25</u>: Utley discloses, *The string resource tool of claim 21, wherein the tool*

*component is further configured to provide value information through the design program*

*interface for at least one identifier represented in the closed set of alternatives* (See all the

frameworks).


*Conclusion*


7.      **THIS ACTION IS MADE FINAL.**  Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

        A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action.  In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action.  In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ted T. Vo whose telephone number is (571) 272-3706. The examiner can normally be reached on 8:00AM to 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wei Y. Zhen can be reached on (571) 272-3708.

The facsimile number for the organization where this application or proceeding is assigned is the Central Facsimile number **571-273-8300**.

Any inquiry of a general nature or relating to the status of this application should be directed to the TC 2100 Group receptionist: 571-272-2100. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TTV
May 08, 2008

/Ted T. Vo/
Primary Examiner, Art Unit 2191